

REMARKS

Claims 14-28 and 35-36 remain pending for consideration in the present application.

Claims 14 and 16 have been amended, support for which can at least be found in paragraph [0032]. No new matter is believed to have been introduced by way of amendment.

Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 103(a)

A. Claims 14-27 and 35-36 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Pub. No. 5,065,485 to Zocco, (hereinafter “Zocco”). Applicants respectfully traverse this rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, or knowledge generally available in the art at the time of the invention, must provide some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988).

Independent claims 14 and 16 are directed to mattresses, comprising, *inter alia*, an innercore dimensioned to be larger than the interior cavity, the innercore having a bottom surface, said innercore disposed within the cavity on the top surface of the platform.

Zocco sequentially adds various layers into its cavity 2 including an innerspring 5. Applicants have carefully studied and can find no disclosure or even suggestion that the innerspring 5 is dimensioned to be larger than the cavity.

In view of the foregoing, the rejection is requested to be withdrawn.

B. Claim 28 stands rejected as unpatentable over Zocco in view of US Pat. No. 6,263,533 to Dimitry et al. (Hereinafter “Dimitry”). Applicants respectfully traverse.

Claim 28 depends from Claim 16, and as such, includes all of the features contained in the base claim. Accordingly claim 28 also features an innercore dimensioned to be larger than the interior cavity, the innercore having a bottom surface, said innercore disposed within the cavity on the top surface of the platform. For reasons discussed above, Zocco fails to teach or suggest at least this feature.

Dimitry fails to compensate for the deficiencies of Zocco. First, there is no disclosure or suggestion of an encased mattress at all. Instead, Zocco discloses the use of extruded foam reinforcement pieces. There is no disclosure of an encased mattress and because of this, there is no disclosure that the mattress features an innercore dimensioned to be larger than the interior cavity, the innercore having a bottom surface, said innercore disposed within the cavity on the top surface of the platform as claimed by applicants.

Reconsideration and withdrawal of this rejection are respectfully requested.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By /Peter R. Hagerty/
Peter R. Hagerty
Registration No. 42,618

Date: October 25, 2011
CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford, CT 06103
Telephone: (860) 286-2929
Facsimile: (860) 286-0115
Customer No.: 23413